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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/255,987	02/23/1999	TOMONARI YOSHIMURA	325772007400	9237

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EXAMINER

LEE, TOMMY D

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 01/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/255,987		YOSHIMURA, TOMONARI	
	<b>Examiner</b>		<b>Art Unit</b>	
	Thomas D. Lee		2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-19 and 21-23 is/are rejected.
- 7) ☒ Claim(s) 8, 9, 20, 24 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____   |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)              | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> . | 6) <input type="checkbox"/> Other:  |

## DETAILED ACTION

### *Specification*

1. The abstract of the disclosure is objected to because it is more than 150 words in length. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 4, 6, 10, 16-18, 21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,717,839 (Ichikawa).

Regarding claims 1 (and corresponding method claim 21) and 4, Ichikawa teaches an image correction device for use in an image forming system which is connectable to a plurality of image readers and a plurality of image forming apparatuses (read Abstract), the image correction device comprising a discriminating device for discriminating an image reader and an image forming apparatus which are connected to the image correction device (column 9, lines 38-53); memory for storing correction data relating to combinations of the image reader and image forming apparatus (column 7, lines 19-25; column 8, lines 4-37); and data correction means for correcting image data output from an image reader using the correction data relating to a specific combination of image reader and image forming apparatus and for outputting the corrected data to an image forming apparatus (column 8, lines 38-47). The correction data for color

Art Unit: 2624

printing include various combinations of gradient correction data, resolution data, density correction data and color correction data (column 7, lines 19-25).

Regarding claim 6 (and corresponding method claim 22), the data correction means corrects the image data from the image reader based on updated correction data stored in the memory means, and outputs the corrected data to the image forming apparatus (correction data selected by user in manual mode, read column 10, lines 35-57).

Regarding claim 10, the device is a data processing device (note title of Ichikawa patent).

Claims 16-18 recite a storage medium for storing program software of an image correction device, the storage medium storing a storage program for performing steps recited in claim 1. This limitation is taught by Ichikawa (column 12, lines 30-42).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 3, 5 and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichikawa.

Regarding claims 2 and 3, Ichikawa does not explicitly state that a plurality of image forming apparatuses are connected to a single image reader, or that a plurality of image readers are connected to a single image forming apparatus. However, Ichikawa

does state that correction table data may be set for any desired combination of an image input device and a printer (column 8, lines 35-37). It would have been obvious for one of ordinary skill in the art that as long as there is a correction table corresponding to each combination of input device and printer, the number of input devices and printers which are connected to the image processor taught by Ichikawa is arbitrary, and thus providing a plurality of image forming apparatuses and a single image reader, or providing a plurality of image readers and a single image forming apparatus, would have been an obvious modification of Ichikawa for one of ordinary skill in the art.

Regarding claim 5, Ichikawa does not teach correction data for monochrome printing. However, monochrome printing is well known in the art, and one of ordinary skill in the art would have known, given the teaching of Ichikawa and the knowledge that the desire to enhance the appearance of image data is not limited to the enhancement of color images, that data correction for monochrome printing may be implemented in the same manner, so that correction may be achieved for these images as well.

Regarding claims 11 and 12, the connection of a network of a plurality of image readers and image forming apparatuses with the image correction device would have been an obvious modification of Ichikawa for one of ordinary skill in the art, for as long as there is a correction table corresponding to each combination of image reader and image forming apparatus, the number of image readers and image forming apparatuses which are connected to the image processor taught by Ichikawa is arbitrary, as mentioned above.

Regarding claims 13-15, the image processor taught by Ichikawa is a server, controller and image transmission device (control unit reads image data from image memory and transmits or serves image data to printer, read column 11, lines 1-3).

6. Claims 7, 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichikawa as applied to claims 1 and 16 above, and further in view of U.S. Patent 6,178,007 (Harrington).

Ichikawa does not teach means for requesting regeneration of the correction data to update the correction data stored in the memory means when a set time interval has elapsed after the last update of the correction data, as recited in claim 7 and similarly recited in claims 19 and 23. Harrington teaches this limitation (color look-up table automatically update periodically, read column 5, lines 29-41; column 6, lines 52-63). It would have been obvious for one of ordinary skill in the art to modify the teaching of Ichikawa by providing a means for periodic, automatic updating of correction data, as taught by Harrington, so that printers connected to the image processor may be constantly adjusted without human intervention (column 5, lines 12-15).

***Allowable Subject Matter***

7. Claims 8, 9, 20, 24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: No prior art has been found to teach means for searching and use of correction data relating a first combination of image reader and image forming apparatus having

the most similar characteristics to a second combination of image reader and image forming apparatus that does not have correction data stored in memory means.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,123,063 (Ohkubo) discloses a stored table that stores scanner control information for plural types of scanners.

U.S. Patent 5,726,778 (Tanio) discloses an image processing apparatus that includes a color space-converting unit for converting image data between a plurality of external devices.

U.S. Patent 5,883,985 (Pourjavid) discloses transmission of images over a network between an imager and one of several reproduction devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas D. Lee whose telephone number is (703) 305-4870. The examiner can normally be reached on Monday-Friday (7:30-5:00), alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (703) 308-7452. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Art Unit: 2624

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



Thomas D. Lee  
Primary Examiner  
Art Unit 2624

tdl  
January 25, 2002